

Receipt date: 09/25/2008
09/25/2008 12:25 FAX

KRIEG DEVAULT

RECEIVED 10635319 - GAU: 3775
CENTRAL FAX CENTER 001

~~DO NOT ENTER: /JLS/~~

SEP 25 2008

KRIEG · DEVAULT
ATTORNEYS AT LAW

FAX COVER PAGE

DATE: September 25, 2008

PAGES INCLUDING THIS PAGE: 14

TO: Examiner James L. Swiger III, Group Art Unit 3733
COMPANY: U.S. Patent and Trademark Office

FAX NUMBER: 571-273-8300
PHONE NUMBER:

FROM: Douglas A. Collier

DIRECT DIAL: (317) 238-6333
FAX NUMBER: (317) 636-1507

RE: Response to Final Office Action for U.S. Patent Application No. 10/635,319 to Benjamin Garden et al.

COMMENTS: I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at 571-273-8300 on:

September 25, 2008
(Date of Transmission)

Douglas A. Collier
Name of Registered Representative
Douglas A. Collier
Signature

Hard copy will be sent via: Regular Mail Overnight Courier Fax Communication Only

Name of Sender: Cheryl Kalugyer

Client Matter No.: 333 MSDI-67

WARNING CONFIDENTIALITY NOTICE

The documents constituting this fax transmittal contain confidential information belonging to the sender which is legally privileged. The information is intended only for the use of the individual(s) or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance upon the content of this fax transmittal is strictly prohibited. If you have received this fax transmittal in error, please immediately notify us by telephone at the number below to arrange for return of the original documents to us. Thank you.

For Questions or Problems in Transmission, Please Contact our Fax Operators

KRIEG DEVAULT LLP
ONE INDIANA SQUARE
SUITE 2800
INDIANAPOLIS, IN 46204
TELEPHONE-(317) 636-4341
FAX-(317) 636-1507

KRIEG DEVAULT LLP
12800 N MERIDIAN STREET
SUITE 300
CARMEL, IN 46032
TELEPHONE-(317) 566-1110
FAX-(317) 636-1507

KRIEG DEVAULT GALVIN
LLP
5231 HOHMAN STREET
HAMMOND, IN 46320
TELEPHONE-(219) 933-0380 FAX-(219) 933-0471

KRIEG DEVAULT LUNDY
LLP
825 ANTHONY WAYNE
BUILDING
203 EAST BERRY STREET
Ft. WAYNE, IN 46802
TELEPHONE-(260) 422-1534
FAX-(260) 423-1590

KD_IM-1761087_1.DOC

Receipt date: 09/25/2008
09/25/2008 12:25 FAX

10635319 - GAU: 3775

KRIEG DEVAULT

003

RECEIVED
CENTRAL FAX CENTER

SEP 25 2008

Doc.1753673

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)	Before the Examiner:
Benjamin Garden et al.)	James L. Swiger III
Application Serial No. 10/635,319)	Group Art Unit: 3733
Filed: August 6, 2003)	Atty Docket No.:
)	MSDI-67/PC933.00
SYSTEMS AND TECHNIQUES FOR STABILIZING THE SPINE AND PLACING STABILIZATION SYSTEMS)	September 25, 2008

RESPONSE TO FINAL OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

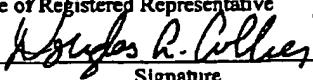
Sir:

In response to the Final Office Action mailed July 25, 2008, please enter and consider the following. No fees or extensions of time are believed due for consideration of the enclosed. However, please provide any extensions of time that may be necessary and charge any fees which may be due to Deposit Account No. 12-2424, but not to include any payment of issue fees.

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at 571-273-8300 on:

September 25, 2008
(Date of Transmission)

Douglas A. Collier
Name of Registered Representative


Signature

September 25, 2008
Date of Signature

Response to Final Office Action
Application Serial No. 10/635,319
Atty Docket No. MSDI-67/PC933.00
Page 1 of 12